

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

CASE NO.: **23-CR-20123-KMM**

Plaintiff,

v.

GUILHERME CIPRIANI,

Defendant  
\_\_\_\_\_ /

**DEFENDANT, GUILHERME CIPRIANI'S UNOPPOSED MOTION FOR CONTINUANCE**  
**AND**  
**SPEEDY TRIAL REPORT PURSUANT TO LOCAL RULE 88.5(B) USDC-SDFL**

Defendant, GUILHERME CIPRIANI, by and through his undersigned counsel hereby files this unopposed motion for continuance for the trial currently scheduled for the two (2) week trial period commencing June 27<sup>th</sup>, 2023, and the Speedy Trial Report as required by *Local Rule 88.5(B) USDC-SDFL* and as grounds states as follows:

1. The Defendant was originally arrested on or about April 27<sup>th</sup>, 2023, in the District of Arizona, Phoenix Division pursuant to an Indictment and arrest warrant in this case. The Defendant was released to Pre-Trial Services with conditions. On or about May 24<sup>th</sup>, 2023, the Defendant made his initial appearance in the SDFL on this case and was also arraigned on that date.
2. This matter, as stated above, is set for the two (2) week trial period commencing June 27<sup>th</sup>, 2023, with a calendar call set for June 20<sup>th</sup>, 2023, at 9:00 am.
3. The Defendant is currently charged with Smuggling Goods into the United States (Count 1) in violation of *18 U.S.C. § 545* and *§ 2*, and False Statement to a Federal Agency (Count 2) in violation of *18 USC § 1001(a)(2)*.



4. On or about June 7<sup>th</sup>, 2023, the Government sent the undersigned its First Response to the Standing Discovery Order. The discovery is voluminous and contains documents/evidence in Portuguese that must be translated by the undersigned since the undersigned does not speak Portuguese. A USB with a copy of the discovery was sent to the Defendant, who resides in Arizona, via FedEx on June 8<sup>th</sup>, 2023. The undersigned is just beginning to review the discovery.
5. ***Discovery.*** The undersigned immediately began to review the discovery on June 8<sup>th</sup>, 2023 and noticed that the Government had provided a Cellebrite Report from the Defendant's cell phone. However, the report contained only 66 pages, which was impossible considering that Cellebrite Reports routinely consist of tens of thousands of pages. The undersigned immediately called AUSA Diaz-Espinosa and advised him that this was probably an error and that the undersigned needed the full copy of the cell phone data via a Cellebrite Report. AUSA Diaz-Espinosa advised he would immediately request that the agents produce a full copy of the cell phone data via a Cellebrite Report. The undersigned and the Defendant need to receive that report and time to review the data.
6. ***Speedy Trial Report.*** The Defendant waives any speedy trial claims to have sufficient time to receive and review the discovery. Therefore, there are no speedy trial issues, nor will there be any moving forward.
7. ***Plea Discussions.*** The parties are undertaking plea discussions in good faith and believe this matter will be resolved via plea agreement. However, the undersigned needs to review all the discovery, which as stated above has not been completely received. and the Defendant needs to receive and review all the discovery. As soon as the parties reach an agreement, the Court will be notified in order to set a change of plea hearing.



8. **Unavailability.** The undersigned is scheduled for short vacations and will be out of Miami June 21st-25th and July 5th-July 10th. Considering the above matters, the Defendant requests that the Court re-set the trial in this case until late July or early August 2023.
9. **Compliance with Local Rule 88.9.** On June 9<sup>th</sup>, 2023, the undersigned conferred with AUSA Diaz-Espinosa and discussed the filing of this motion and its contents. AUSA Diaz-Espinosa advised that the Government does not oppose the granting of this motion.

**WHEREFORE**, the Defendant, GUILHERME CIPRIANI, prays that this Honorable Court will grant his unopposed motion and continue the matter until at least late July or early August 2023.

Respectfully submitted,

**QUINTERO BROCHE, P.A.**  
*Attorney for Defendant Guilherme Cipriani*

By: /s/ Frank Quintero Jr.  
FRANK QUINTERO, JR.  
Florida Bar No.: 399167

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was electronically filed this 13<sup>th</sup> day of June, 2023 with the Clerk of the Court via **CM/ECF**.

Respectfully submitted,

**QUINTERO BROCHE, P.A.**  
*Attorney for Defendant Guilherme Cipriani*  
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Coral Gables, Florida 33134  
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By: /s/ Frank Quintero Jr.  
FRANK QUINTERO, JR.  
Florida Bar No.: 399167